



CONGRESSIONAL BUDGET OFFICE PAY-AS-YOU-GO ESTIMATE

October 20, 2000

S. 2917 **Santo Domingo Pueblo Claims Settlement Act of 2000**

As cleared by the Congress on October 17, 2000

S. 2917 would ratify a settlement agreement entered into by the Departments of Justice (DOJ), the Interior (DOI), and Agriculture with the Pueblo of Santo Domingo. Under the agreement, the tribe would receive a total of \$23 million from the federal government—\$8 million in 2001 from the Judgment Fund of the U.S. Treasury and \$15 million in funds authorized to be appropriated over fiscal years 2002 through 2004—in exchange for extinguishing certain claims against the government. In addition, the agreement would transfer and place in trust approximately 4,500 acres of federal land for the benefit of the tribe. The legislation also would authorize the Secretary of Agriculture to sell 7,355 acres of national forest land to the tribe for \$3.7 million. The tribe would probably use future appropriated funds to complete that purchase.

The following table summarizes the estimated impact of S. 2917 on direct spending.

	By Fiscal Year, in Millions of Dollars									
	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Changes in outlays ^a	8	0	0	0	0	0	0	0	0	0
Changes in receipts	Not applicable									

a. This cost could be offset by a reduction in future payments from the Judgment Fund, but CBO cannot estimate the likelihood or magnitude of such an offset.

Under the terms of the settlement agreement, the federal government would pay \$8 million to the tribe from the Judgment Fund in 2001. Based on information from DOJ and DOI and because the land transfer provisions of the settlement agreement require the approval of the Congress, CBO concludes that this payment would not be made absent Congressional approval of the entire settlement, which enacting this legislation would provide. As a result, CBO estimates that S. 2917 would increase direct spending by \$8 million in 2001.

This settlement would extinguish certain claims that the tribe may have against the United States, so it is possible that the amount paid to the tribe under the legislation could be offset by a reduction in payments that would be made from the Judgment Fund in future years. However, CBO cannot estimate either the likelihood or the magnitude of such an offset because there is no basis for predicting either the outcome of pending litigation against the United States or the amount of compensation, if any.

In addition, the federal government could forgo offsetting receipts from grazing fees by transferring federal land to the tribe, but, based on information from the Bureau of Land Management, CBO estimates that the annual amount of such forgone receipts would be negligible.

Finally, CBO expects, based on information from DOI and the U.S. Forest Service, that the tribe would use \$3.7 million of the fiscal year 2004 appropriation of \$5 million authorized by S. 2917 to purchase the national forest land set aside under the settlement agreement. Any collections from that sale would be subject to appropriation action and, thus, is not included as a pay-as-you-go effect of S. 2917.

The CBO staff contact for this estimate is John R. Righter. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.